

NIXON PEABODY LLP

ATTORNEYS AT LAW
Clinton Square
P.O. Box 31051
Rochester, New York 14603-1051
(585) 263-1000
Fax: (585) 263-1600
Direct Dial: (585) 263-1087

Direct Fax: (866) 947-0571
E-Mail: cdthomas@nixonpeabody.com

UROOKLYN OFFICE

September 6, 2005

BY FAX (718-260-2647)

Hon, Robert M. Levy U. S. District Court Eastern District of New York 225 Cadman Plaza East Brooklyn, New York 11201 So order.

s/Robert Levy

9/6/05

RE:

Karanja Gacuca v. Continental Airlines, Inc. d/b/a Continental Airlines

05-CV-2094(JG)(RML)

Initial Conference September 7, 2005

Dear Magistrate Judge Levy:

I represent Defendant Continental Airlines, Inc. in regard to the above referenced matter. The initial conference is scheduled before you tomorrow, September 7, 2005 at 11:15 a.m. By this letter I am requesting your permission to appear by conference call. I have spoken to Brian Sher, plaintiff's attorney, who advises me that he has no objection to my appearing by conference call.

Please advise if this is acceptable to the Court.

Very truly yours,

Christopher D. Thomas

CDT/nb Enclosure

ec: Brian M. Sher, Esq.

R873597.1

96%